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February 21, 2018

Via ECF

The Honorable James Orenstein, U.S.M.J.
225 Cadman Plaza East
Room 456 North
Brooklyn, NY 11201

Re: *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation, No. 05-md-1720 (MKB)(JO)*

Dear Magistrate Judge Orenstein:

We write on behalf of the Equitable Relief Class Plaintiffs in response to the Defendants' recent letter motion regarding our clients' depositions (the "Motion"), filed on February 18, 2018 (Doc. 7149). We are pleased to report that we have reached an agreement with the 7-Eleven Plaintiffs, the Target Plaintiffs and The Home Depot (collectively the "DAPs") which we believe addresses all of Defendants' concerns referenced in the Motion.

In particular, we have agreed that our clients will testify for up to eight hours in a single day, with the understanding that the DAPs will be allowed at least one hour of questioning. That will assure that Defendants are allowed at least seven hours of questioning. We will also afford Defendants a reasonable opportunity for follow-up examination. If, after DAPs have questioned our clients for one hour, Defendants' follow-up would carry the deposition past eight hours, we will allow that.

If any additional issues require further discussion among the parties, we are confident we can resolve them without the Court's intervention.

Respectfully submitted,

/s/ Linda Nussbaum
Nussbaum Law Group, P.C.

/s/ Michael J. Freed
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/s/ Steve D. Shadowen
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